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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 vs.)

11 ANDREW SWAN,)

12 Defendant.)
13 _____)

Case No. 2:11-cr-120-RLH-CWH

ORDER
(Motion to Continue Deadline—#65)

14 Before the Court is Defendant Andrew Swan's **Motion to Continue Joint Discovery**
15 **Agreement Deadline Re: Expert Witness Report** (#65, filed December 27, 2012).

16 Defendant Swan brings the motion because he was faced with the 30-day-before-trial deadline to
17 provide expert witness reports, notwithstanding that present counsel had only recently been appointed
18 to replace the Public Defender, at Defendant's request, and only recently identified a document
19 examining expert, leaving insufficient time for the expert to examine the documents and also prepare
20 a report.

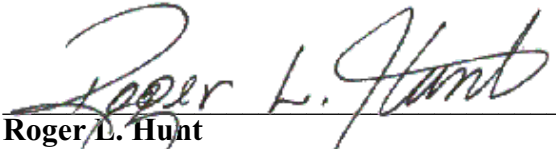
21 Defendant Swan assures the Court he does not wish a continuance of the trial date, and
22 his co-defendant has emphasized the same wish. However, Swan did not provide the Court with a
23 requested date to which the deadline should be continued. Given the foregoing factors, the Court will
24 grant the motion and provide a short extension, but will waive the 30-day rule as to any rebuttal
25 document expert witness it may need to employ.

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1 The Court notes, for the benefit of all parties, that the motion indicates that the
2 document examination relates to allegations that the signatures (the Court assumes it is the signatures
3 of Swan that are in question) on alleged fraudulent mortgage documents were possibly forged.
4 Accordingly, Defendant Swan's document expert testimony will be limited to that issue.

5 IT IS THEREFORE ORDERED that Defendant Andrew Swan's **Motion to Continue**
6 **Joint Discovery Agreement Deadline Re: Expert Witness Report** (#65) is granted to the extent
7 that the disclosure deadline for his document expert's report is extended to 12:00 o'clock noon on
8 January 16, 2013, and that his testimony will be limited to the issue of alleged forgeries of signatures
9 of Swan on alleged fraudulent mortgage documents.

10 Dated: January 2, 2013.

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13 **Roger L. Hunt**
14 **United States District Judge**
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